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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 || ANITA SMITH, No. C-04-3293 MMC

12 Plaintiff, ORDER OF DISMISSAL

13 | v.

14 COUNTY OF SAN MATEO, et. al.,

## Defendants

17 The Court having been advised that the parties have agreed to a settlement of the  
18 above-titled action.

19 IT IS HEREBY ORDERED that said action be dismissed without prejudice; provided,  
20 however, that if any party hereto shall certify to this Court, within ninety days, with proof of  
21 service of a copy thereof on opposing counsel, that the agreed consideration for the  
22 settlement has not been delivered, the foregoing order shall stand vacated and the action  
23 shall forthwith be restored to the calendar to be set for trial.

## IT IS SO ORDERED.

25 || Dated: September 30, 2005

Maxine M. Chesney  
MAXINE M. CHESNEY  
United States District Judge